

LEWIS A. GROSSMAN

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CURRENT POSITION

AMERICAN UNIVERSITY, WASHINGTON COLLEGE OF LAW Washington, D.C.
Professor of Law & Associate Dean for Scholarship: Teach Food and Drug Law,
Administrative Law, Civil Procedure, U.S. Legal History (September 1997-present)

EDUCATION

YALE UNIVERSITY New Haven, CT
Ph.D. in American History, May 2005
M.Phil. with distinction, December 1992; M.A., December 1991

Dissertation: "The Ideal and the Actual of James Coolidge Carter: Morality and Law in
the Gilded Age"
George Washington Egleston Prize for Best Dissertation in the Field of American
History, 2005
Mellon Fellowship in the Humanities, Woodrow Wilson Foundation, 1990

HARVARD LAW SCHOOL Cambridge, MA
J.D. *magna cum laude*, June 1990

YALE UNIVERSITY New Haven, CT
B.A. *summa cum laude*, with distinction in history, May 1986

Phi Beta Kappa, Junior Year, 1985
Katherine A. Walker Essay Prize
Rhodes Scholarship competition, New England District finalist, 1986

OTHER EXPERIENCE

COVINGTON & BURLING LLP Washington, D.C.
Of Counsel (2003-present), **Associate** (November 1993-October 1994, March 1995-
March 1997): Member of the food and drug law practice group.

WHITE HOUSE SECURITY REVIEW,
U.S. DEPARTMENT OF THE TREASURY Washington, D.C.
Assistant Director (October 1994-February 1995): Participated in review of White
House security initiated by the Secretary of the Treasury.

CHIEF JUDGE ABNER J. MIKVA,
U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT Washington, D.C.
Judicial Clerk (1992-93)

DAVIS, POLK & WARDWELL New York, N.Y. & London, U.K.
Summer Associate (summer 1989)

McKENNA, CONNER & CUNEO Washington, D.C.
Summer Associate (summer 1988)

MAYOR'S OFFICE OF TRANSPORTATION New York, N.Y.
Staff Analyst (1986-87) Participated in writing a final report, including an implementation plan, for a city-wide paratransit system to serve transportation-disabled New Yorkers.

PUBLICATIONS: BOOKS

Food and Drug Law: Cases and Materials, 3rd ed. (with Peter Barton Hutt & Richard A. Merrill) (Foundation Press 2007)

A Documentary Companion to A Civil Action (with Robert G. Vaughn) (Foundation Press 1999, 3rd ed. 2006)

Teacher's Manual For A Documentary Companion to A Civil Action (with Robert Vaughn) (Foundation Press 2000, rev. ed. 2002)

PUBLICATIONS: ARTICLES AND BOOK CHAPTERS

"Food, Drugs, and Droods: A Historical Consideration of Definitions and Categories in American Food and Drug Law," 93 *Cornell Law Review* 1091 (2008)

"'The Benefits and Evils of Competition': James Coolidge Carter's Supreme Court Advocacy," in *Festschrift in Honor of Morton J. Horwitz* (Alfred Brophy & Daniel Hamilton eds., Harvard University Press, 2008)

"Langdell Upside-Down: James Coolidge Carter and the Anticlassical Jurisprudence of Anticodification," 19 *Yale Journal of Law & the Humanities* 149 (2007)

"The Story of *Parklane*: The 'Litigation Crisis' and the Efficiency Imperative," in *Civil Procedure Stories* (Kevin Clermont ed., 2004)

"James Coolidge Carter and Mugwump Jurisprudence," 20 *Law and History Review* 577 (2002)

"Extending the Revisionist Project," 20 *Law and History Review* 639 (2002)

"Codification and the California Mentality," 45 *Hastings Law Journal* 617 (1994)

"John C. Frémont, Mariposa, and the Collision of Mexican and American Law," 6 *Western Legal History* 17 (1993), reprinted in 31 *Public Land and Resources Law Digest* 111 (1994) (collection of the year's best articles in the field of natural resources law)

"Self-Censorship by Media Industries," 15 *Columbia-VLA Journal of Law & the Arts* 443 (1991)

PUBLICATIONS: OTHER

"Codes and Codification: United States Law," in *Oxford Encyclopedia of Legal History* (Stanley N. Katz, ed., forthcoming 2009)

“James Coolidge Carter,” in *Yale Biographical Dictionary of American Law* (Roger K. Newman, ed., forthcoming 2009)

“John Norton Pomeroy,” in *Yale Biographical Dictionary of American Law* (Roger K. Newman, ed., forthcoming 2009)

Review of Mark Warren Bailey, *Guardians of the Moral Order: The Legal Philosophy of the Supreme Court, 1860-1910*, 92 *Journal of American History* 241 (2005)

“A Brief and General History of Government Policy Concerning Patent Rights to Federally-Funded Pharmaceutical Inventions” (with Peter Barton Hutt), presented by Mr. Hutt at the Institute of Medicine's Roundtable for the Development of Drugs and Vaccines Against AIDS, National Academy of Sciences (April 18, 1994)

PROFESSIONAL SERVICE

Barack Obama for President 2008

Member, Law & Judiciary Policy Committee

Virginia Promote the Vote, Voter Protection Attorney (Manassas Park, VA)

Institute of Medicine of the National Academies

Member, Committee for Review of FDA's Role in Ensuring Safe Food (2009) (formal appointment pending)

Legal Consultant, Committee on the Framework for Evaluating the Safety of Dietary Supplements, Food and Nutrition Board (2002-2004)

Food and Drug Law Institute

Member, Steering Committee, "Advancing Science, Law & Policy at FDA" (joint project with American Association for the Advancement of Science) (appointed October 2008)

Member, Writing Awards Committee (appointed March 2003)

Member, Academic Programs Committee (appointed September 2002)

Administrative Law Review

Faculty Advisory Board (2007-present)

Senator John McCain

Legal Consultant on S. 812 –“To amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals” (generic drug amendments sponsored by Sen. Charles Schumer and cosponsored by Sen. McCain and eleven Democratic senators) (2002)

International Council for the Life Sciences

Legal Consultant (2004-05)

American Society for Legal History

Co-Chair, Local Arrangements Committee, 2003 Annual Meeting, Washington, D.C.

Supreme Court Historical Society

Co-Chair for Membership, American University (2008-present)

Law and History Review, Peer Reviewer

Cambridge University Press, Peer Reviewer

SELECTED PRESENTATIONS

Food and Drug Law and Administrative Law Topics:

“Overview of the Federal Regulatory System,” presentation at Covington & Burling LLP (Nov. 7, 2008)

“FDA’s Place and History in Government,” presentation at Covington & Burling LLP (June 30, 2008)

“Introduction to Rulemaking,” presentation at Covington & Burling LLP (Feb. 1, 2008)

“Legal Issues in Long-Term Follow-Up of Gene Therapy Trials,” presentation at American Society of Gene Therapy Workshop on Long Term Follow-Up of Gene Therapy Clinical Trials (June 1, 2004)

“Regulation of Genetically Modified Foods,” presentation at *The U.S. Food and Drug Administration Comes to Stanford*, Stanford Law School (March 24, 2000)

“Categorical Definitions of FDA-Regulated Products,” presentation at *The U.S. Food and Drug Administration Comes to Stanford*, Stanford Law School (March 23, 2000)

Testimony before Senate Labor and Human Resources Committee regarding FDA regulation of tobacco products (Feb. 24, 1998)

“FDA Regulation of Tobacco,” presentation at Mealy Tobacco Conference, Chicago (Sept. 18, 1997)

Civil Procedure Topics:

“Civil Procedure: The Historical Perspective,” presentation on panel titled *Putting Procedure in Perspective*, Association of American Law Schools Mid-Year Meeting, New York, New York (June 18, 2003)

“Teaching from *A Civil Action*,” presentation at Annual Conference of the American Association for Paralegal Education, Boston (Oct. 14, 1999)

“Untold Procedural Stories from *A Civil Action*,” presentation at *Lessons from Woburn: The Conference*, Harvard Law School (Jan. 30, 1999)

Legal History Topics:

“From Savigny through Sir Henry Maine’: Roscoe Pound’s Flawed Portrait of James Coolidge Carter’s Historical Jurisprudence,” presentation on panel titled *Transatlantic Connections in Late Nineteenth-Century Legal Thought*, American Society for Legal History Annual Meeting, Ottawa, Ontario (Nov. 15, 2008)

“The Benefits and Evils of Competition’: James Coolidge Carter’s Supreme Court Advocacy,” presentation at Conference in Honor of Professor Morton Horwitz, Harvard Law School (Sept. 26, 2008)

Commenter on Laura Kalman, *Right Star Rising: American Politics and the Limits of Leadership in the Seventies, 1974-79*, Washington College of Law Faculty Speakers Series (March 28, 2008)

“Mugwump Lawyering: James Coolidge Carter as Attorney,” presentation at the George Washington University Law School Scholarship Roundtable: Legal History (Sept. 29, 2006)

“The Moral Common Law of the Gilded Age Anticodifiers,” presentation on panel titled *The Moral Judiciary in the Gilded Age*, American Society for Legal History Annual Meeting, Austin, Texas (Oct. 30, 2004)

“UnLangdellian Orthodoxy: The Common Law Jurisprudence of the Late Nineteenth Century Anticodification Movement,” presentation at the Southeastern Association of Law Schools Annual Meeting, Amelia Island, Florida (July 25, 2003)

“James Coolidge Carter,” presentation at the Supreme Court Historical Society Research Colloquium, Washington, D.C. (May 8, 2003)

“James Coolidge Carter and Mugwump Jurisprudence,” presentation on panel titled *Intellectual Biography and Intellectual History: The Example of Gilded Age Legal Thought*, American Society for Legal History Annual Meeting, Princeton, New Jersey (Oct. 20, 2000)

BAR ADMISSIONS

District of Columbia, New York, Connecticut (retired), Pennsylvania (inactive)